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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 NATHEN BAKER,

11 Plaintiff,

12 v.

13 LABORER'S LOCAL 440, et al.,

14 Defendants.

CASE NO. C18-34 MJP

ORDER TO SHOW CAUSE

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16 On January 12, 2018, Plaintiff (who identifies himself as “Dr. Nathen Baker”) filed a
17 “Complaint for a Violation of Fair Labor Standards” in this district. Dkt. No. 3. The complaint
18 (which is a form complaint labeled “Pro Se 8 2016”) identifies as defendants: Laborer Local 440
19 (twice), Muckleshoot Tribe Construction Department, Mid Mountain Contractors, Inc., and the
20 Muckleshoot Casino. Id. at 2-3. As a “Statement of Claim,” Plaintiff declares: “I was instructed
21 to word hard long and fast all over time then were fired for it.” Id. at 5, Section III.

22 Section III.G of the complaint form requests “Date(s) of the alleged violation(s).”
23 Plaintiff provides no dates, but instead states: “Laborer Local 440 took all of my money when I
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1 arrived for work I tried to hide my money but they held me hostage taken my money from me.”

2 However, in Section IV of the form (“Relief”), Plaintiff states:

3 You tell me to work hard overtime hours then fire me for working the job site six months
4 ahead of schedule. No one will hire me now since 2007.

5 Id. at 7. And, in Section II.B.3 (“The Amount in Controversy”), Plaintiff writes: “\$10,000
6 dollars before taxes I have not got a job since fired July 2007.” Id. at 5.

7 The Court believes that the events of which Plaintiff complains, therefore, occurred in
8 2007. The statute of limitation for the Fair Labors Standard Act appears at 29 U.S.C. § 255 (a):

9 [E]very such action [under the FLSA] shall be forever barred unless commenced within
10 two years after the cause of action accrued, except that a cause of action arising out of a
willful violation may be commenced within three years after the cause of action accrued.

11 Even under the lengthiest statute of limitations permitted by the Act, the limitations
12 period for a violation occurring in 2007 has long since passed. Since it is not entirely clear from
13 Plaintiff’s complaint when the violation occurred, Plaintiff will be given an opportunity to amend
14 his complaint to clarify the date of the occurrence(s) of which he complains. Wherefore,

15 PLAINTIFF IS ORDERED TO SHOW CAUSE, by no later than **January 30, 2018**, why
16 this complaint should not be dismissed as untimely. He may show cause by filing an amended
17 complaint clarifying the dates on which the events which form the basis of his complaint
18 occurred. Failure to file an amended complaint by January 30, 2018 will result in a dismissal of
19 his complaint.

20 The clerk is ordered to mail a copy of this order to Plaintiff.

21 Dated: January 16, 2018.

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24 Marsha J. Pechman
United States District Judge